

***A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS
HELD APRIL 20, 1999 AT 1:00 P.M. IN WARRENTON, VIRGINIA***

P R E S E N T Mr. Larry L. Weeks, Chairman; Mr. Joe Winkelmann, Vice Chairman; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum; Mr. G. Robert Lee, County Administrator; Mr. Paul S. McCulla, County Attorney

**MEMORANDUM OF UNDERSTANDING – JOHN MARSHALL SOIL AND WATER
CONSERVATION DISTRICT**

At the request of the John Marshall Soil and Water Conservation District, a work session to review a proposed Memorandum of Understanding between the John Marshall Soil and Water Conservation District and Fauquier County was postponed until the May 18, 1999 meeting.

1999 FAUQUIER COUNTY FARMLAND STUDY

A work session was held to review and discuss the 1999 Fauquier County Farmland Study conducted by Keith Dickinson, Virginia Cooperative Extension, and Suzanne Heflin, Fauquier County Agricultural Development Officer.

UPDATE ON ACTIVITIES AND PROGRAMS – PARKS AND RECREATION

A work session was held to receive an update on activities and programs of the Parks and Recreation Department.

PRESENTATION OF SPORTS FIELD STUDY

A work session was held to review and discuss a sports field study conducted by the four major outdoor youth sports organizations to identify solutions to the ballfield shortage.

RELOCATION OF THE NEW FAUQUIER COUNTY LANDFILL CONVENIENCE SITE AND LANDFILL ACCESS ROAD FROM ITS CURRENT PROPOSED LOCATION IN THE VICINITY OF ROUTE 29 TO A NEW PROPOSED LOCATION IN THE VICINITY OF CELL IV AND THE LANDFILL OPERATIONS BUILDING

A work session was held to review and discuss the advantages and potential savings associated with the relocation of the landfill convenience site and the landfill access road.

DISCUSSION OF ECONOMIC DEVELOPMENT ALTERNATIVES AS IDENTIFIED BY THE BOARD OF SUPERVISORS ON MARCH 18, 1999

A work session was held to review and discuss proposed economic development program alternatives.

The meeting was reconvened in Regular Session at 6:30 p.m. in the Warren Green Meeting Room.

ADOPTION OF THE AGENDA

Mr. Winkelmann moved to adopt the Agenda subject to removing from the Consent Agenda for discussion A Resolution to Oppose the Proposals of the Virginia Department of Game and Inland Fisheries to Allow for the Gun-Hunting of Foxes in the Counties of Amelia, Charlotte, Clarke, Culpeper, Fauquier, Halifax, Lee, Loudoun, Louisa and Rappahannock and to Establish a Uniform Trapping Season for Foxes in the Counties of Clarke, Fauquier, Goochland, Lee, Loudoun and Rappahannock and adding to the Consent Agenda A Resolution to Transfer Funds to the Parks and Recreation Department. Mr. Green seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

CITIZENS TIME

- Mark Rohrbaugh suggested the Board establish a citizens planning group to study the Catlett/Calverton area.
- Chester Stribling, representing Southern Fauquier Business Association, presented the Board with the Association's mission statement and an adopted resolution in support of establishing an economic development office.

CONSENT AGENDA

Mr. Mangum moved to adopt the following Consent Agenda items. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

Approval of the Minutes of the Fauquier County Board of Supervisors Regular Meetings of December 15, 1998, January 5, 1999, and January 19, 1999 and the Adjourned Meeting of December 21, 1998

A Resolution to Approve the Fiscal Year 1999-2000 Pre-application for Commonwealth Airport Funds and Six-Year Airport Capital Improvement Program for the Warrenton-Fauquier Airport

RESOLUTION

Be It Resolved by the Fauquier County Board of Supervisors this 20th day of April 1999, That the Fiscal Year 1999-2000 Commonwealth Airport Funds and Six-year Capital Improvement Program Plan be, and is hereby, approved for submission to the Virginia Department of Aviation.

A Resolution Authorizing a Memorandum of Agreement Between the Board of Supervisors and Bealeton Station Limited Partnership

RESOLUTION

A RESOLUTION AUTHORIZING A MEMORANDUM OF
AGREEMENT BETWEEN THE BOARD OF SUPERVISORS
AND BEALETON STATION LIMITED PARTNERSHIP

WHEREAS, Bealeton Station Limited Partnership is the owner of a swimming pool in Bealeton; and

WHEREAS, the use of the swimming pool for the purpose of conducting swimming lessons for a nominal fee allows the Department of Parks and Recreation to provide a valuable service to the residents of the County at a minimal cost; and

WHEREAS, the terms of the agreement are outlined on the attached Memorandum of Understanding; now, therefore, be it

RESOLVED by the Board of Supervisors of Fauquier County this 20th day of April 1999, That the Director of the Fauquier County Parks and Recreation Department be, and is hereby, authorized to execute the Memorandum of Agreement with Bealeton Station Limited Partnership.

A Resolution to Authorize an Increase to \$200.00 in the Department of Social Services' Petty Cash Account

RESOLUTION

A RESOLUTION TO AUTHORIZE AN INCREASE TO \$200.00 IN
THE DEPARTMENT OF SOCIAL SERVICES PETTY CASH ACCOUNT

WHEREAS, the Department of Social Services is requesting an increase in petty cash from \$100.00 to \$200.00; and

WHEREAS, the Finance Department has requested that checks issued for under \$20.00 be limited; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of April 1999, That the Fauquier County Department of Social Services be, and is hereby, authorized to increase the amount of its petty cash account to \$200.00.

Supplemental Funding – Parks and Recreation

RESOLUTION

A RESOLUTION TO TRANSFER FUNDS

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the operation of an annual budget for Fauquier County; and

WHEREAS, the annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, funds needed to increase a department's budget must come from internal adjustments or from an outside source such as State, Federal, grant or other local sources such as the County's Reserve for Contingency; and

WHEREAS, the Parks and Recreation Department has requested supplemental support in the amount of \$7,700 to fund youth organizations' support requests for FY 1999 above their current funding level; and

WHEREAS, funding support is available from the Non-departmental Reserve Account (4-100-091400-5897); now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of April 1999, That the sum of \$7,700 be transferred from Non-departmental Reserve to the Parks and Recreation Department (4-100-071210-5640) to support youth organizations.

A Resolution to Authorize the County Administrator to Sign a Contract for a Computer Aided Dispatcher/Records Management System (CAD/RMS) with Open Software solutions, Inc., (OSSI) in the Amount of \$367,246

RESOLUTION

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN A CONTRACT FOR A COMPUTER AIDED DISPATCH/RECORDS MANAGEMENT SYSTEM (CAD/RMS) FROM OPEN SOFTWARE SOLUTIONS, INC., (OSSI) IN THE AMOUNT OF \$367,246.

WHEREAS, the Fauquier County Board of Supervisors approved an appropriation of \$362,876 for CAD/RMS by resolution on the 7th day of July 1998; and

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WHEREAS, the Finance Committee approved an appropriation of an additional \$65,810 on

8 February 1999 to cover the total estimated cost of the CAD/RMS based on vendor proposals; and

WHEREAS, a team made up of representatives from the Sheriff's Department, the Town of Warrenton Police, the Fire & Rescue Association, the Office of Emergency Services, and the Warrenton-Fauquier Joint Communications Center, under the direction of the Director, Information Resources, evaluated the proposals of six respondents to the RFP and selected Open Software Solutions, Inc., (OSSI) as most qualified; and

WHEREAS, the Purchasing Officer has completed negotiations with OSSI and the County Attorney has reviewed the contract and has approved the language contained therein; and

WHEREAS, the County Procurement Policy specifies that no contract for a Capital Improvement Project that exceeds \$100,000 shall be awarded without the concurrence of the Fauquier County Board of Supervisors or School Board as applicable; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of April 1999, That the Board of Supervisors does hereby authorize the County Administrator to sign a contract for a Computer Aided Dispatch/Records Management System (CAD/RMS) from Open Software Solutions, Inc., (OSSI) in the amount of \$367,246.

Preliminary Subdivision Application – John Randolph Parks Subdivision

No action was taken.

A Resolution Requesting the Planning Commission Develop Proffer Policy Guidelines

RESOLUTION

A RESOLUTION REQUESTING THE PLANNING COMMISSION TO DEVELOP PROFFER POLICY GUIDELINES

WHEREAS, it is established that residential development directly impacts the demand for new schools, fire and rescue, library, parks and recreation, and transportation facilities; and

WHEREAS, state enabling legislation provides an opportunity for the property owner/developer to mitigate anticipated residential rezoning project impacts through voluntary proffers; and

WHEREAS, the Fauquier County Board of Supervisors needs to refine its presently adopted Proffer Policy for residential rezoning applications; and

WHEREAS, the Proffer Policy needs to identify a methodology for establishing public facilities costs to meet the “reasonableness” or “rough proportionality” test, and to establish criteria for acceptance of cash contributions to mitigate the associated residential impacts for rezoning applications on fire and rescue, library, recreational, school, and roads; and

WHEREAS, public facilities need to be consistent with the Fauquier County

Comprehensive Plan, Zoning Ordinance and Capital Improvement Program; and

WHEREAS, once the draft and refined policy guidelines are developed, the Planning Commission and Board of Supervisors will meet in work session to assure the proposed proffer policy is ready for public hearing; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of April 1999, That the Planning Commission is hereby requested to develop a refined Proffer Policy draft, consistent with the general stipulations contained herein.

A PROCLAMATION HONORING JAMES JANOSKIE FOR SEVEN YEARS SERVICE TO THE PARKS AND RECREATION BOARD

Mr. Winkelmann moved to adopt the following proclamation. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

PROCLAMATION

A PROCLAMATION HONORING JAMES JANOSKIE

WHEREAS, James Janoskie retired from the Fauquier County Parks and Recreation Board on March 3, 1999; and

WHEREAS, as a member of the Parks and Recreation Board he recognized the need to serve all citizens of his district; and

WHEREAS, his dedication and vision helped to improve the parks and recreation services available to the Center District of Fauquier County through the development of sports fields, summer playground programs, the WHEREHOUSE Youth Center, the County's first rail-trail and linear park, open gym programs, as well as serving on the School Coop Committee and the oversight of the Bids and Contracts Committee; now, therefore, be it

PROCLAIMED by the Fauquier County Board of Supervisors, the Parks and Recreation Board and Department of the County of Fauquier, this 20th day of April, 1999, That James Janoskie has served his constituents well, his caring was unending and his leadership true; and, be it

PROCLAIMED FURTHER, That this Board expresses sincere appreciation to James Janoskie, for his presence will be missed by all members of these Boards and the staff of the Department and that our best wishes accompany him whatever the path he chooses in the future.

CATLETT AND CALVERTON WASTEWATER TREATMENT SYSTEMS GRANT AWARD

Mr. Burton moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
DECLINE A GRANT FROM THE VIRGINIA WATER QUALITY FUND FOR
THE PURPOSE OF PROVIDING FUNDING ASSISTANCE WITH THE
CONSTRUCTION OF A NON-DISCHARGE, COMMUNITY BASED, ON-SITE
TREATMENT SYSTEM FOR CATLETT AND CALVERTON

WHEREAS, the Board of Supervisors has established the provision of services in the service districts as one of its highest priorities; and

WHEREAS, the Board of Supervisors has established as a priority goal “to develop and begin implementation of a plan to provide water and sewer services to all service districts by December of 1999, with emphasis on the Catlett and Calverton Service Districts”; and

WHEREAS, the Board of Supervisors had undertaken a preliminary engineering report which could lead to design of a non-discharging community based, on-site treatment system for Catlett and Calverton; and

WHEREAS, the Board of Supervisors had directed staff to identify any grant or alternative funding opportunities that would help to reduce or offset the expenditure of County Taxpayer funds wherever possible; and

WHEREAS, the Community Development staff, with the help of the Rappahannock-Rapidan Planning District Commission, developed an application for state grant funds to provide up to a 50% state grant to help offset the costs of construction of treatment systems for Catlett and Calverton; and

WHEREAS, the Board of Supervisors directed the County Administrator to make application on behalf of Fauquier County for grant assistance from the Virginia Water Quality Improvement Fund by resolution dated October 6, 1998; and

WHEREAS, the Board of Supervisors have been selected to receive Water Quality Improvement Fund grants in the amount of \$275,000 for the Catlett and Calverton wastewater treatment systems; and

WHEREAS, the results of the preliminary engineering report estimate the total cost of collection, treatment, and discharge to be about \$7.1 million; and

WHEREAS, the only local funds currently set aside for this project total about \$1.7 million; and

WHEREAS, the acceptance of Water Quality Improvement Fund Grant would require the County to complete the project by December 2000; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of April 1999, That the Board of Supervisors does hereby direct the County Administrator to respectfully decline the Water Quality Improvement Fund grants; and, be it

RESOLVED FINALLY, That the Board of Supervisors does hereby direct the County Administrator or his designee to forward a copy of this resolution to the Department of Conservation and Recreation with a cover letter explaining the funding situation, on behalf of the Board of Supervisors.

REZONING REQUEST – HUNTER’S HEAD, L.C.

A public hearing was held at the February 16, 1999, meeting to consider a request from Hunter’s Head, L.C., Owners, to rezone 0.8018 acre of a 2.40 acre parcel from Village Residential (V) to Village Commercial (VC) to operate an eating establishment and a retail sales (food) business. The property is located on the north side of John Mosby Highway (Route 50) in the village of Upperville, PIN #6054-95-8361-000, Marshall District. Mr. Green moved to table the decision until the May 4, 1999, meeting. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

COMPREHENSIVE PLAN AMENDMENT AND REZONING REQUEST – MORRIS A. AND LILLIE DALE COOPER

A public hearing was held at the March 16, 1999 meeting to consider a request from Morris A. and Lillie Dale Cooper to identify and incorporate a new Settlement into the Comprehensive Plan and to rezone the parcel from Rural Agriculture (RA) to Residential, one dwelling unit per acre, (R-1). The property contains 12.94 acres and is located off of Route 643 (Meetze Road), northwest of its intersection with Route 602 (Rogues Road), PIN #7901-33-8434-000, Cedar Run District. Mr. Burton moved to adopt the following resolution and ordinance. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO DENY COMPREHENSIVE PLAN AMENDMENT

#CPA99-CR-01 FOR MORRIS AND LILLIE DALE COOPER

WHEREAS, Morris and Lillie Dale Cooper have filed an application to amend the Fauquier County Comprehensive Plan in accordance with the provisions of Article 13-202 of the Fauquier County Zoning Ordinance; and

WHEREAS, this amendment is to identify and incorporate a new Settlement into the Comprehensive Plan; and

WHEREAS, the proposed new settlement area does not appear to be an historical center of neighborhood and community interest; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on January 28, 1999, regarding this Comprehensive Plan Amendment; and

WHEREAS, the Fauquier County Planning Commission held a general meeting on February 25, 1999, and unanimously recommended approval; and

WHEREAS, the Board of Supervisors has determined that the public necessity, convenience, general welfare, or good planning practice would not be satisfied by this amendment to the Fauquier County Comprehensive Plan; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of April 1999, That Comprehensive Plan Amendment #CPA99-CR-01 to incorporate a new

Settlement into the Plan be, and is hereby, denied.

ORDINANCE

AN ORDINANCE TO APPROVE REZONING REQUEST

#RZ99-CR-01, COOPER PROPERTY

WHEREAS, the owners and applicants, Morris and Lillie Dale Cooper, have initiated a request to amend the Fauquier County Zoning Map by changing the designation for 2.8 acres of a 12.94 acre parcel, identified by parcel identification number 7901-33-8434-000, from Rural Agriculture (RA) to Residential, One dwelling unit per acre (R-1); and

WHEREAS, the applicants have filed an application to amend the Fauquier County Zoning Ordinance in accordance with the provisions of Article 13-202; and

WHEREAS, the 2.8 acres of the 12.94 acre property is situated immediately adjacent to R-1 zoning; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on January 28, 1999, regarding this rezoning request; and

WHEREAS, the Fauquier County Planning Commission held a general meeting on February 25, 1999, and unanimously recommended approval; and

WHEREAS, the Board of Supervisors on March 16, 1999, held a public hearing on this rezoning request; and

WHEREAS, by the adoption of this Ordinance the Board of Supervisors has determined that the public necessity, convenience, general welfare, or good zoning practice is satisfied by this

amendment to the Fauquier County Zoning Map; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 20th day of April 1999, That Rezoning Request #RZ99-CR-01 to change the zoning designation for 2.8 acres of a 12.94 acre parcel off of Route 643 (Meetze Road), identified as PIN #7901-33-8434-000 and as referenced in the rezoning plat (produced by James G. Butler, Jr. & Associates, P.C.; Dated: April 15, 1999), from RA (Rural Agriculture) to R-1 (Residential) be, and is hereby, approved.

DISCUSSION OF A PROPOSED RESOLUTION TO AMEND SECTION 2-1 OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS 1999 BYLAWS AND RULES OF PROCEDURE TO MAKE CHANGES TO THE BOARD OF SUPERVISORS REGULAR MEETING DATE

Mr. Winkelmann moved to suspend the Fauquier County Board of Supervisors Bylaws and Rules of Procedure to consider a resolution to amend Section 2-1 of the Bylaws. Mr. Weeks seconded, and the vote for the motion was 4 to 1 as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.

Nays: Mr. David C. Mangum

Absent During Vote: None

Abstention: None

Mr. Winkelmann then moved to adopt the following resolution. Mr. Burton seconded, and the vote for the motion was 4 to 1 as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.

Nays: Mr. David C. Mangum

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO AMEND SECTION 2-1 OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS 1999 BYLAWS AND RULES OF PROCEDURE TO MAKE CHANGES TO THE BOARD OF SUPERVISORS REGULAR MEETING DATE

WHEREAS, it is the desire of the Board of Supervisors to make available to the citizens of Fauquier County the most accurate, up-to-date information regarding affairs of the County; and

WHEREAS, most citizens of Fauquier County receive information via the newspapers; and

WHEREAS, the County's two weekly newspapers and the Washington Post would benefit from having more time for complete and accurate research and follow-up relating to actions taken by the Board of Supervisors; and

WHEREAS, the current schedule of regular meetings on the first and third Tuesdays severely limits the ability of the print media to check facts and details before having to produce the text for upcoming publications; and

WHEREAS, a Monday meeting schedule, with public hearings set for the first Monday, would be beneficial to the news media as well as to the Department of Community Development in preparation of materials being submitted to the Board of Supervisors from the Planning Commission; and

WHEREAS, typically summer months entail less agenda activity and one meeting per month

should be adequate to transact business requiring the attention of the Board of Supervisors; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of April 1999, That Section 2-1 of the Fauquier County Board of Supervisors Bylaws and Rules of Procedure be, and is hereby, amended as follows:

SECTION 2 -- MEETINGS

Section 2-1 Regular Meetings

A. The time and place of regular meetings of the Board of Supervisors (hereinafter referred to as the Board) shall be established at the Board's annual organizational meeting. Regular meetings shall be held in the Board Meeting Room, Warren Green Building, 10 Hotel Street, Warrenton, Virginia on the first and third ~~Monday~~ ~~Tuesday~~ of each month. The first regular monthly meeting agenda shall be devoted primarily to work sessions, public hearings, and policy formation with the regular session beginning at 6:30 p.m. and public hearings typically scheduled to commence at 7:30 p.m.~~action/decision items and will begin at 9:30 a.m.~~ The second regular monthly meeting agenda shall be devoted primarily to action/decision items and will typically be scheduled to begin at 9:30 a.m.~~work sessions, public hearings, and policy formation discussions with work sessions and the regular session beginning at 6:30 p.m.~~ During the months of June, July, and August the Board will have only one regular session designed to accommodate both policy deliberations and action/decision items. The Summer regular sessions will typically begin at 2:00 p.m., and may be temporarily adjourned for an evening repast and reconvene in continued regular session at 6:30 p.m. The Board may, however, prescribe any other meeting place or time in compliance with Section 15.1-536 of the Code of Virginia (1950), as amended.

- B. When a regularly scheduled meeting falls on a legal holiday, the meeting shall be held on the following business day.

A RESOLUTION TO OPPOSE THE PROPOSALS OF THE VIRGINIA DEPARTMENT OF GAME AND INLAND FISHERIES TO ALLOW FOR THE GUN-HUNTING OF FOXES IN THE COUNTIES OF AMELIA, CHARLOTTE, CLARKE, CULPEPER, FAUQUIER, HALIFAX, LEE, LOUDOUN, LOUISA AND RAPPAHANNOCK AND TO ESTABLISH A UNIFORM TRAPPING SEASON FOR FOXES IN THE COUNTIES OF CLARKE, FAUQUIER, GOOCHLAND, LEE, LOUDOUN AND RAPPAHANNOCK

Mr. Green moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was 3 to 2 as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. James R. Green, Jr.

Nays: Mr. Wilbur W. Burton; Mr. David C. Mangum

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO OPPOSE THE PROPOSALS OF THE VIRGINIA DEPARTMENT OF GAME & INLAND FISHERIES TO ALLOW FOR THE GUN HUNTING OF FOXES IN THE COUNTIES OF AMELIA, CHARLOTTE, CLARKE, CULPEPER, FAUQUIER, HALIFAX, LEE, LOUDOUN, LOUISA AND RAPPAHANNOCK AND TO ESTABLISH A UNIFORM TRAPPING SEASON FOR FOXES IN THE COUNTIES OF CLARKE, FAUQUIER, GOOCHLAND, LEE, LOUDOUN AND RAPPAHANNOCK

WHEREAS, the Board of Supervisors has received notification that in May of 1999 the Virginia Board of Game and Inland Fisheries shall be considering a proposal to allow gun-hunting of foxes in the Counties of Amelia, Charlotte, Clarke, Culpeper, Fauquier, Halifax, Lee, Loudoun, Louisa and Rappahannock; and

WHEREAS, the Board of Supervisors has also received notification that the Virginia Board of Game and Inland Fisheries shall also be considering a proposal to establish a uniform trapping season for foxes by rescinding the closure on fox trapping in the Counties of Clarke, Fauquier, Goochland, Lee, Loudoun and Rappahannock; and

WHEREAS, the Board of Supervisors understands that the principle reason that these policies are being considered is to allow for uniform hunting and trapping policies across Virginia; and

WHEREAS, the Board of Supervisors is concerned that absent a significant biological reason for the establishment of these uniform policies that the proposed gun-hunting and open

trapping seasons will have a detrimental impact on the overall fox populations within the effected Counties; and

WHEREAS, the Board of Supervisors considers the potential negative impacts on the local fox population to be a threat to equestrian fox hunting which is recognized as an important part of Fauquier County's and Virginia's heritage and the local economy; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of April 1999, That the Fauquier County Board of Supervisors does hereby express its opposition to the proposals to allow for the gun-hunting of foxes and the establishment of a uniform trapping season for foxes and respectfully requests that the Virginia Board of Game and Inland Fisheries deny these proposed policy changes.

PRESENTATION OF THE PERFORMANCE CONTRACT AND PROGRAM UPDATE FOR THE RAPPAHANNOCK-RAPIDAN COMMUNITY SERVICES BOARD – BRIAN DUNCAN

Brian Duncan, Executive Director of the Rappahannock-Rapidan Community Services Board (RRCSB), gave an overview of the performance contract information and gave an update of activities of the RRCSB. Board members asked that a work session be scheduled with RRCSB members to discuss the performance contract.

SUPERVISORS TIME

- Mr. Green asked that a resolution be brought to a future meeting to honor the late Paul Mellon.

ANNOUNCEMENTS

- Mr. Lee gave an update on the inmate population report.

**REQUEST TO CLOSE AND DISCONTINUE USE OF THE NORTHERN PORTION OF
FEDERAL STREET IN THE VILLAGE OF PARIS**

A public hearing was held to consider a request to close and discontinue use of the northern portion of Federal Street (Route 759) in the Village of Paris. John Sherman and John Ross spoke in favor of closing Federal Street. No one else spoke. The public hearing was closed. Mr. Green moved to adopt the following petition. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green,
Jr.; Mr. David C. Mangum***

Nays: None

Absent During Vote: None

Abstention: None

PETITION

A PETITION TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO CLOSE AND DISCONTINUE USE OF THE NORTHERN PORTION OF FEDERAL STREET (VIRGINIA STATE SECONDARY ROUTE 759) BETWEEN ITS INTERSECTION WITH JOHN MOSBY HIGHWAY (PRIMARY ROUTE 50) AND THE NORTHWEST CORNER OF LOT 1 IN THE VILLAGE OF PARIS SAID LOT HAVING A PIN #6035-70-8730

WHEREAS, Federal Street is currently a public road within the Virginia Department of Transportation's State Secondary system, more particularly identified as Secondary Route 759; and

WHEREAS, residents of Paris have raised concerns regarding the safety and increased traffic use of Federal Street as a by-pass access to Route 17, rather than proceeding to the Route 50/17 traffic signal; and

WHEREAS, residents of Paris have met with the Fauquier County Transportation Committee and requested that the northwestern Federal Street access to Route 50 be vacated, since the Village has a southern Federal Street access to Route 50; and

WHEREAS, the Transportation Committee unanimously recommended on February 24, 1999, that the Board of Supervisors institute procedures to vacate the western portion of Federal Street as described herein; and

WHEREAS, the Board of Supervisors approved the resolution of intent to initiate the necessary procedures to close and discontinue a portion of Virginia State Secondary Route 759 (Federal Street), and directed staff to schedule the required public hearing; and

WHEREAS, northwestern Federal Street appears to no longer have the public convenience warranting its maintenance at public expense and should be closed and discontinued as part of the Secondary System of State Highways; now, therefore, be it

RESOLVED by the Board of Supervisors of Fauquier County this 20th day of April 1999, that the Commonwealth of Virginia Transportation Board be, and is hereby, petitioned to take all necessary actions to close and discontinue use of a portion of Virginia State Secondary Route 759 (Federal Street) at its northern intersection with John Mosby Highway (Route 50) to the northwest corner of Lot 1 of Paris, said lot having a PIN #6035-70-8730 (a distance of approximately 160± feet), said State Secondary Route 759 and Lot 1 being more particularly shown and described on a plat of the Fauquier County Geographic Information System dated April 1, 1999; and, be it

RESOLVED FURTHER, That the County Administrator be, and is hereby, directed to forward a copy of this petition to the Commonwealth of Virginia Transportation Board and to Robert Moore, Resident Engineer for the Virginia Department of Transportation.

SPECIAL EXCEPTION – ROBERT A. AND BETTY E. NILES, OWNERS, AND BELL ATLANTIC MOBILE SYSTEMS, INC., APPLICANT

A public hearing was held to consider a request for special exception approval for Robert A. and Betty E. Niles, Owners, and Bell Atlantic Mobile Systems, Inc., Applicant, to amend the existing special exception by deleting conditions 5 and 6, which would allow the placement of

additional antennas on an existing tower, as well as to construct an accessory equipment building. The property is located on the west side of Royalls Mill Road (Route 631) at its intersection with Silver Hill Road (Route 615), south of the Village of Sumerduck, PIN #7815-26-0427-000, Lee District. Merle Fallon, representing Bell Atlantic and Cellular One, and John Oliphant spoke in favor of the request. Bruce Forbes spoke in opposition. The public hearing was closed. Mr. Mangum moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION REQUEST

#SEA99-L-01 CELLULAR ONE WASHINGTON/BALTIMORE/BELL ATLANTIC MOBILE SYSTEMS, INC.

WHEREAS, the applicant, Cellular One Washington/Baltimore/Bell Atlantic Mobile Systems, Inc., wishes to amend existing special exception approved under Section 3-320.3, Public Utilities, of the Zoning Ordinance of Fauquier County; and

WHEREAS, the special exception amendment application of Cellular One Washington/Baltimore/Bell Atlantic Mobile Systems, Inc. has been properly filed and all required notices of public hearing have been properly made, and the applicant has presented evidence, both oral and documentary, and the staff has filed a staff report, all indicating compliance with the general standards for special exceptions set forth in Article 5 of the Zoning Ordinance of Fauquier County and the Board further finds that more restrictive standards of Article 5-006, Article 5-2001, and Article 5-2002 are met in this application; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on March 25, 1999, on this special exception request and recommended approval; now,

therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of April 1999, That special exception #SEA99-L-01, Cellular One Washington/Baltimore/Bell Atlantic Mobile Systems, Inc. (PIN#7815-26-0427-000), be, and is hereby, approved subject to the following conditions:

1. The use shall comply with all FAA requirements at all times.
2. The tower shall be lighted only to meet FAA requirements with no additional lighting permitted.
3. The height of the tower shall not exceed 199 feet.
4. The tower shall be painted appropriately so as to minimize visual impact as permitted by FAA regulations.
5. No clearcutting of trees is allowed between the tower and Royalls Mill Road (Route 631).
6. Existing trees within 200 feet of the existing tower structure shall not be removed.
7. The applicant shall make reasonable efforts to permit co-location by any additional telecommunication users. The applicant shall provide written documentation to the Fauquier County Zoning Administrator in the event that any future co-location cannot be accommodated.
8. The applicant shall provide to the County public service agencies, at no cost to the locality, one acceptable site on the tower and necessary space in the equipment room.

9. Annual Report. The owner of each antenna or tower shall submit a report to the Zoning Administrator once a year, no later than July 1. The report shall state the current user status of the tower.
10. Antenna and Tower Removal. Any antenna or tower shall be disassembled and removed from the site within ninety (90) days of the discontinuance of the use of the tower for wireless telecommunications purposes. Removal includes the removal of the antennas, telecommunications towers, fence footers, underground cables and support buildings. The buildings and foundation may remain with the landowner's approval. If there are two (2) or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

SPECIAL EXCEPTION – MARRIOTTS WESTFIELDS CONFERENCE CENTER, INC., OWNER

A public hearing was held to consider a request for special exception approval for Marriotts Westfields Conference Center, Inc., Owner, to renew an existing special exception and to amend this special exception to allow an additional designed overnight group camping site with a maximum capacity of forty-five people. The property is located on either side of Hume Road (Route 635), west of the Village of Hume, PIN #6908-83-3361-000, #6917-47-0965-000, #6918-55-7748-000, and #6919-15-9657-000, Marshall District. Dan Neja, representing Marriott International, and John Oliphant spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Green moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION

REQUEST #SEA99-M-02 MARRIOTT RANCH

WHEREAS, the applicant, Marriott Ranch, is requesting renewal of an existing special exception (SE#92-M-06), approved under Section 3-309.15 and 3-309.16, Outdoor Recreation – Class B & C spectator and non-spectator field events of the Fauquier County Zoning Ordinance, and to amend this special exception to allow additional designated overnight group camping site; and

WHEREAS, the special exception application of Marriott Ranch has been properly filed and all required notices of public hearing have been properly made, and the applicant has presented evidence, both oral and documentary, and the staff has filed a staff report, all indicating compliance with the general standards for special exceptions set forth in Article 5 of the Zoning Ordinance of Fauquier County and the Board further finds that more restrictive standards of Article 5-915 and Article 5-916 are met in this application; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on March 25, 1999, on this special exception renewal request and recommended approval; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of April 1999, That special exception #SEA99-M-02, Marriott Ranch (PIN#'s 6908-83-3361-000, 6917-47-0965-000, 6918-55-7748-000, 6919-15-9657-000) be, and is hereby, approved subject to the following conditions:

1. Uses to which the property may be put under this special exception shall be limited to the following: weddings and wedding receptions; company, corporate or organization picnic and barbecues; corporate retreats; trail rides with catered meals; youth group camping; equestrian events (cutting horse competitions and clinics at the Corral site). Uses other than these shall be allowed only upon approval by the Board of Supervisors or Board of Zoning Appeals for individual special exceptions or special permits. These events may be

conducted either for profit or for charitable or community service organizations.

2. Except for youth group camping with a maximum limit of 45 campers at any one time on the Marriott Ranch property, the number of "Class B" events permitted in any calendar year shall not exceed one (1) and the attendance at any such "Class B" event shall not exceed 2,000 attendees per day.
3. The maximum number of "Class C" events permitted in any calendar week shall not exceed four (4) in excess of 25 persons and the total number of attendees in any week shall not exceed 500.
4. The total attendance for "Class B" and "Class C" events, combined, in any calendar year shall not exceed 16,000 persons.
5. Marriott Ranch shall maintain, for an indefinite period, event and attendance records and shall submit a report to the Zoning Administrator each month between April and November. This report shall include all events by type and number in attendance.
6. Events conducted under this special exception shall be conducted only from April 15 through November 15 in any calendar year.
7. With the exception of catered trail rides and charitable events, none of the events permitted under this special exception shall be open to the general public.
8. With the exception of overnight camping activities to be conducted at the two (2) designated camping sites (located along the Rappahannock River and off of Route 726 near the Trail Ride Barn), the hours of operation for all events shall be limited to the hours of 8:00 a.m. to 11:00 p.m.
9. Musical events will be conducted only between the hours of 12:00 Noon and 10:00 p.m. except at the Western Town, where an 11:00 p.m. limit shall be employed.

10. At all "Class B" events except for youth group camping, the applicant shall employ and have continuously on the premises a private emergency medical technician during the operation for each event.
11. At all events with greater than 25 attendees the applicant shall employ and have continuously on the premises a person trained in Cardio-Pulmonary Resuscitation (CPR).
12. Fire extinguishers meeting state and federal standards shall be provided at all event sites.
13. All grass areas used for parking shall be mowed and maintained so as to minimize the risk of vehicle and field fires.
14. The applicant shall require its employees and all invitees to strictly comply with State burning laws and copies of such laws shall be posted at the designated camp sites and at other appropriate places.
15. The applicant at all times, employ such number of persons as are necessary to facilitate the parking of vehicles and the control of those in attendance and, at events where attendance will exceed 500 persons, the applicant shall employ such number of off-duty deputies or other security personnel as are determined to be acceptable to the Zoning Administrator in consultation with the Fauquier County Sheriff's Office.
16. All on-site parking, entrances and other physical improvements will comply with the County's site plan regulations.
17. The applicant shall conform at all times to County Health Department regulations regarding sanitary sewerage facilities, food service, hand washing facilities and wells.
18. All uses under this special exception shall be conducted so as to meet all noise performance standards enumerated in Article IX of the County Zoning Ordinance. In addition, all events shall be conducted in such a manner that noise emissions will not exceed 50% of the decibel limits permitted by the County's noise regulations.

19. At all events with amplified music, the applicant shall employ noise attenuation devices which will include acoustical absorbing materials and shall have available noise measuring devices for use by the Sheriff's Office or other County officials.
20. The amplified sound system presently in use at The Corral shall be modified prior to any use under this special exception to use directional speakers, and that system shall be placed in use no more than 6 times in any calendar year.
21. All regular and contract employees shall be informed of the sound emissions limitations and shall be required to conform to same. A decibel metering system shall be purchased and utilized at all events with amplified sound.
22. All lighting shall be of the "downlight" type, shall be shielded, and redirected downward and inward, so as to eliminate glare from all adjacent properties.
23. Any parking illumination shall be limited to ground lighting.
24. In addition to any approvals and permits required by Sections 5-915.6 and 5-916.6 of the Zoning Ordinance the applicant shall obtain a VDOT permit for any event or series of events which will generate more than 250 attendees per day. VDOT as a condition to issuance of a permit may require such measures as are deemed necessary to protect public safety.
25. In the event flagmen are required by VDOT or the Sheriff's Office for traffic control, all persons so employed shall be so qualified by VDOT or the Sheriff's Office.
26. The applicant shall regularly, and no less than monthly, police both sides of the highway right-of-way and remove all litter and foreign materials along the applicant's entire frontage on Route 635.
27. Any reduction in acreage below 2,133; 831; 495 and 712 acres respectively, except for the

dedication or condemnations of right-of-way for public purposes shall constitute a violation of this special exception.

28. This special exception shall be for a period of ten (10) years from the time of approval of this special exception application.

SECOND RENEWAL OF THE ROUTTS HILL AGRICULTURAL AND FORESTAL DISTRICT AND THE FIRST RENEWAL OF THE FIERY RUN AGRICULTURAL AND FORESTAL DISTRICT

A public hearing was held to consider the second renewal of the Routts Hill Agricultural and Forestal District and the first renewal of the Fiery Run Agricultural and Forestal District. Lorene Payne spoke in favor of renewal of the Routts Hill Agricultural and Forestal District. No one else spoke. The public hearing was closed. Mr. Mangum moved to adopt the following ordinances. Mr. Green seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

ORDINANCE

**AN ORDINANCE TO APPROVE THE SECOND RENEWAL OF THE
ROUTTS HILL AGRICULTURAL AND FORESTAL DISTRICT
WITHIN FAUQUIER COUNTY**

WHEREAS, Section 15.2-4311, Code of Virginia (1950) as amended, requires that local

governing bodies renew Agricultural and Forestal Districts prior to the time of a district's expiration; and

WHEREAS, Routts Hill Agricultural and Forestal District is due to expire on June 18, 1999; and

WHEREAS, at such time of review, the local governing body must determine whether to continue, modify, or terminate the district; and

WHEREAS, all requirements of Section 15.2-4311, Code of Virginia (1950) as amended have been met; and

WHEREAS, the Fauquier County Board of Supervisors have held a public hearing regarding this matter; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 20th day of April 1999, That the Second Renewal of Routts Hill Agricultural and Forestal District be, and is hereby, adopted as follows:

(1) That the Second Renewal of the Routts Hill Agricultural and Forestal District is land which requires conservation and protection for the production of food and other agricultural and forestal products and as such is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is, therefore, valuable to public interest.

(2) That the Second Renewal of the Routts Hill Agricultural and Forestal District is hereby renewed effective the 20th day of April, 1999, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4311, Code of Virginia (1950) as amended, and for a period of eight years.

(3) That the Second Renewal shall consist of the following parcels:

Property Owner	PIN#	Acreage
Cooke, Mildred L.	6960-99-6227	144.49
Cooper, Edward N. & Leah B.	6971-15-2711	184.10
Hall, Anita Sutherland	6971-88-4305	38.73
Gaunt, James W., II & Beverly J.	6970-07-4896	26.54
Myers, Archie B.	6970-28-8630	257.00
Olinger, Gilbert T., Sr.	6970-06-8636	2.85
Olinger, Gilbert T., Sr.	6960-96-5745	34.00
Bumgardner, Frank L.	6971-03-9086	55.03
Payne, Larry C. & Lorene W.	6971-01-9886	15.35
Payne, Larry C. & Lorene W.	6971-21-0253	60.22
Payne, Stanley F. & Norma Jean	6961-81-6550	111.00
Payne, Stanley F. & Norma Jean	6971-21-2977	28.78
Wagner, Deborah K. & Fournier, Alain	6971-76-0295	35.00
	Total acreage	993.09

(4) That the Second Renewal shall be effective June 18, 1999; and, be it

ORDAINED FURTHER, That the same conditions and restrictions shall apply to wit:

(5)